UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 9-17-75

FROM : Legal Counsel

SUBJECT: HOUSE SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS OF THE COMMITTEE ON THE JUDICIARY

Dep. AD Adm. —
Dep. AD Inv. —
Asst. Dir.:
Admin. —
Comp. Syst. —
Ext. Affairs —
Files & Com. —
Gen. Inv. —
Ident. —
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Spec. Inv. —
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On 9-16-75 Alan Parker, Chief Counsel for the House Subcommittee on Civil and Constitutional Rights, advised Inspector Hotis that the Subcommittee will hold hearings at the earliest opportunity on matters relating to the assassination of President Kennedy.

Parker said that Chairman Edwards does not want to reopen the assassination inquiry, but he feels that the Committee must address certain questions that have been raised concerning the alleged destruction of a threatening note received by the Dallas Office from Lee Harvey Oswald in November, 1963, and the Bureau's relationship with Jack Ruby. Among the matters to be examined by the Committee are allegations that the Bureau's Office in Dallas was alerted to the possibility of an assassination attempt at least five to ten days prior to the assassination. In addition, the Bureau reportedly told the Warren Commission that we had no knowledge of Jack Ruby prior to the assassination, nor did we have any information indicating that he was connected with organized crime. And yet, it is alleged that the Bureau had contacted Ruby on nine different occasions in an attempt to recruit him as an informant. Parker said it was his understanding that these contacts were discontinued when Ruby failed to provide any useful information to the Bureau. It is also claimed that Ruby, who was then known as Jack Rubenstein, was involved in a union killing in 1939. Parker said that these charges raise serious questions about Ruby's relationship with the Bureau and with elements in organized crime. Finally, Parker said that if a threatening note was, in fact, received from Oswald, the Committee wants to know what the note contained and why it was destroyed. He said this seems to contradict the testimony by Mr. Kelley before the Subcommittee earlier this year in which he stated that the Bureau does not destroy investigative information.

Enclosure
1 - Mr. Adams - Enclosure
1 - Mr. Bassett - Enclosure
1 - Mr. Gallagher - Enclosure
1 - Mr. Wannall - Enclosure
1 - Mr. Mintz - Enclosure
1 - Mr. Cregar - Enclosure
1 - Mr. Daly - Enclosure
1 - Mr. Hotis - Enclosure

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Parker said the Chairman plans to hold hearings on these matters as soon as possible and would like us to advise him when we would be prepared to testify.

It should be noted that the House Select Committee on Intelligence Activities recently requested files, reports, and materials dealing with a "threatening note" received by the Dallas Office from Lee Harvey Oswald in November, 1963, and asked that staff members be allowed to interview SA James P. Hosty, Jr. As you know this matter is currently under investigation by the Bureau and is being referred to the Department for a determination of whether any prosecutive action is warranted. As a consequence we are advising Chairman Pike that it will not be possible for us to furnish the information requested, nor can we make Agent Hosty available for interview at this time. As an alternative we are offering to brief the Chairman in a general manner as to the nature of the Bureau's investigation in these matters.

It is recommended that we adopt the same position with respect to Chairman Edwards' request. Attached is a memo to the Deputy Attorney General advising him of the Chairman's request and recommending that we decline to testify on any matters which are under investigation by this Bureau or which may be referred to the Department for possible prosecutive action.

With regard to the hearings by the Subcommittee scheduled for the 24th of this month, Parker said that the most critical issue concerns the access and verification procedures which the Committee attempted to establish for the GAO investigation. He pointed out that Mr. Edwards had not received a reply to his letter of 6-25-75 to the Attorney General asking that he reconsider the matter. He stated that Chairmen Edwards and Rodino felt that this compromise proprosal was a fair one and they are prepared to go to court on this issue.

RECOMMENDATION:

That the attached memo be sent to the Deputy Attorney General.